



Natural Resources Conservation Service
Wallace F. Bennett Federal Building
125 South State Street, Room 4402
Salt Lake City, UT 84138-1100

January 25, 2008

UTAH BULLETIN NO. UT300-08-11

SUBJECT: LTP - STATE POLICY ON USE OF BOUNDARY FENCES AND USE OF BUCK-POLE OR WORM FENCES IN FARMBILL CONTRACTS

Purpose: Provide clarification.

Expiration Date: September 30, 2008.

The current policy regarding the use of cost-share for boundary fences is outlined in the **EQIP Manual 515.91 H – Ineligible Practices**. As a rule boundary fences are not eligible for cost-share. However, the policy provides the following exceptions:

(xii) Boundary fences.

Exception: Boundary or property line fences may be eligible, as determined by the NRCS Designated Conservationist, ONLY if:

- *The fence is an integral part of a conservation management system, such as a planned grazing system that facilitates improved management of grazing land, or protects certain areas from livestock when it is necessary for proper use of the area.*
- *The area adjacent to the boundary fence is vital to the success of the conservation management system.*
- *The primary purpose is not to separate ownership or exclude livestock from transportation networks, residential, commercial, or industrial areas.*

In addition to the requirements listed above, state policy requires that any proposed boundary fences be submitted through channels to the State Resource Conservationist (SRC) for concurrence with the following documentation:

- Purpose for the exception, indicating what is being protected and why.
- Location of the proposed fence.
- Legal instrument from other adjacent owners granting permission for fence construction. This may include a legal land survey or easement agreement for the life of the fence.

NOTE: Concurrence from the SRC must be received prior to application ranking.

Buck-pole or worm fences may only be used in the following situations and only to the extent required to satisfy the specific need for such a fence:

- **Heavy snowfall area** – where typical snow depths exceed 3 feet and let-down fences are not feasible.
- **On shallow or extremely rocky soils**, where other fence types are not practical.
- **Persistently wet soil area**, subject to frost heaving.
- **Wildlife crossing or migrations areas**, with concurrence of a wildlife biologist. The use of wildlife crossings in other fence types shall not exceed 100 feet.

Please direct your questions or request for additional clarification to the appropriate Area Programs or Technical Specialist.

/S/

SYLVIA A. GILLEN
State Conservationist

Distribution: E